

REMARKS

This Request for Reconsideration (hereafter "Request") is fully responsive to the final Office Action dated May 12, 2009, issued in connection with the above-identified application. Claims 28-40 are pending in the present application. With this Request, no claims have been amended; and no new matter has been introduced. Favorable reconsideration is respectfully requested.

In the Office Action, claims 28, 29, 34, 36 and 37 have been rejected under 35 U.S.C. 103(a) as being anticipated by Lee et al. (U.S. Patent No. 5,921,095, hereafter "Lee") in view of Viegas (U.S. Patent No. 6,062,030, hereafter "Viegas").

The Applicants assert that the cited prior art fails to disclose or suggest at least the features recited in independent claim 28.

Specifically, claim 28 recites the following features:

"[a] refrigerating storage cabinet comprising:

a heat insulating housing;

a refrigeration unit that includes a compressor, a condenser, an expanding mechanism, and an evaporator; and

a control unit having a data storage location;

wherein the data storage location stores a plurality of refrigerating characteristics indicative of a time-varying change mode of dropping of a physical amount with respect to refrigeration, the physical amount including an internal temperature of said heat insulating housing; and

said control unit controls operation of said refrigerating unit in each of a plurality of refrigerating specifications so that the physical amount is reduced in accordance with one of the refrigeration characteristics." (Emphasis added).

The features noted above in claim 28 are fully supported by the Applicants' disclosure (see e.g., ¶ [0018]).

The present invention (as recited in independent claim 28) is directed to a refrigerating unit having a compressor (e.g., inverter-driven compressor), a condenser, an expanding

mechanism and an evaporator. The refrigeration unit is also provided with a control unit for controlling the refrigerating unit. The refrigerating unit can be constructed to meet a plurality of refrigerating specifications, and the control unit can store control programs for the plurality of refrigerating specifications. Accordingly, a refrigerating unit can be used as a refrigerating unit or freezing unit.

For example, the control unit controls operation of the refrigerating unit based on one of the stored programs. That is, when the refrigerating unit is to be used as a refrigerating unit, the control unit executes a program for refrigeration control. When the refrigerating unit is to be used as a freezing unit, the control unit executes a program for freezing control. Thus, the refrigerating unit of the present invention can be provided as a common refrigerating unit with a common control unit that provides a dual function (i.e., a refrigerating unit or a freezing unit).

In the Office Action, the Examiner relies on Lee and Viegas for disclosing or suggesting all the features recited in independent claim 28. However, the Examiner relies primarily on Lee for disclosing or suggesting the features emphasized above in independent claim 28.

In the Office Action, the Examiner states that Lee discloses the above features of the present invention at col. 6, lines 16-24. However, Lee (at col. 6, lines 16-24) discloses an expandable type refrigerator that includes a plurality of refrigerating units coupled together. The plurality of refrigerating units can include a refrigerating unit and a freezing unit. However, the refrigerating unit and the freezing unit are constructed independently based on a required performance (see also col. 4, lines 25-30). Therefore, the refrigeration unit disclosed by Lee differs in construction from the refrigeration unit of present invention (as recited in independent claim 28).

Specifically, Lee fails to disclose or suggest a common refrigerating unit that can be used as a refrigerating unit or a freezing unit. Further, the expandable type refrigerator disclosed by Lee includes one micro-controller that controls the plurality of refrigerating units (see col. 7, lines 11-18). In contrast, according to the present invention, a plurality of refrigerating units may be controlled by respective control units.

Based on the above discussion, the present invention (as recited in independent claim 28)

is clearly distinguished from Lee. Moreover, Viegas fails to overcome the deficiencies noted above in Lee. Accordingly, no combination of Lee and Viegas would result in, or otherwise render obvious, independent claims 28. Likewise, no combination of Lee and Viegas would result in, or otherwise render obvious, claims 29, 34, 36 and 37 at least by virtue of their dependencies from independent claim 28.

In the Office Action, claims 30-35 and 38-40 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Lee in view of Viegas, and further in view of Valence et al. (U.S. Patent No. 5,600,966, hereafter "Valence"). Claims 30-35 and 38-40 depend from independent claim 28. As noted above, Lee in view of Viegas fails to disclose or suggest all the features recited in independent claim 28. Additionally, Valence fails to overcome the deficiencies noted above in Lee and Viegas. Accordingly, no combination of Lee, Viegas and Valence would result in, or otherwise render obvious, claims 30-35 and 38-40 at least by virtue of their dependencies from independent claim 28.

In light of the above, the Applicants respectfully submit that all the pending claims are patentable over the prior art of record. The Applicants respectfully request that the Examiner withdraw the rejections presented in the outstanding Office Action, and pass the present application to issue. The Examiner is invited to contact the undersigned attorney by telephone to resolve any remaining issues.

Respectfully submitted,

Shinichi KAGA et al.

By: 
Mark D. Pratt
Registration No. 45794
Attorney for Applicants

MDP/ats
Washington, D.C. 20006-1021
Telephone (202) 721-8200
Facsimile (202) 721-8250
July 8, 2009